

U.S. Nuclear Regulatory Commission

Statement of Regulatory Priorities for Fiscal Year 2020

I. Introduction

Under the authority of the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974, as amended, the U.S. Nuclear Regulatory Commission (NRC) regulates the possession and use of source, byproduct, and special nuclear material. The NRC's mission is to license and regulate the Nation's civilian use of radioactive materials to provide reasonable assurance of adequate protection of public health and safety, to promote the common defense and security, and to protect the environment. As part of our mission, we regulate the operation of nuclear power plants and fuel cycle facilities; the safeguarding of nuclear materials from theft and sabotage; the safe transport, storage, and disposal of radioactive materials and wastes; the decommissioning of licensed facilities that are no longer in operation and their safe release for other uses; and the medical, industrial, and research applications of nuclear material. In addition, we license the import and export of radioactive materials.

As part of our regulatory process, we routinely conduct comprehensive analyses that examine the costs and benefits of contemplated regulations. We have developed internal procedures and programs to ensure that we impose only necessary requirements on our licensees and to review existing regulations to determine whether the requirements imposed are still necessary.

Our regulatory priorities for fiscal year (FY) 2020 reflect our safety and security mission and will enable us to achieve our two strategic goals described in NUREG-1614, Volume 7, "Strategic Plan: Fiscal Years 2018–2022," issued February 2018 (<https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1614/v7/>): (1) to ensure the safe use of radioactive materials and (2) to ensure the secure use of radioactive materials.

Regulatory Priorities

This section contains information on some of the most important regulatory actions we are considering issuing in proposed or final form during FY 2020. The NRC's portion of the Unified Agenda of Regulatory and Deregulatory Actions provides additional details on these regulatory actions and on a broader spectrum of our upcoming regulatory actions. Information on planned rulemaking and petition for rulemaking activities, including priority and schedule, is on our web site at <https://www.nrc.gov/about->

nrc/regulatory/rulemaking/rules-petitions.html.

A. High Priority Proposed Rules

Approval of American Society of Mechanical Engineers Code Cases, Revision 39 (RIN 3150-AJ94; NRC-2017-0025): This rule would incorporate by reference into Title 10 of the *Code of Federal Regulations* (10 CFR), Section 50.55a, “Codes and standards,” the Code Cases that the NRC finds acceptable or conditionally acceptable.

Cyber Security at Fuel Cycle Facilities (RIN 3150-AJ64; NRC-2015-0179): This rule would propose requirements to provide reasonable assurance that NRC-licensed fuel cycle facilities will adequately detect, protect against, and respond to a cyberattack capable of causing one or more of the consequences of concern defined in the proposed rule.

Low-Level Radioactive Waste Disposal (RIN 3150-AI92; NRC-2011-0012): This supplemental proposed rule would require licensees of low-level radioactive waste disposal facilities under 10 CFR part 61, “Licensing Requirements for Land Disposal of Radioactive Waste,” to conduct site-specific analyses, including an intruder assessment, and make additional changes to the current regulations to reduce ambiguity and facilitate implementation.

2019 Edition of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (RIN 3150-AK09; NRC-2017-0226): This rule would incorporate by reference into 10 CFR 50.55a the 2019 Edition of the code with conditions.

Enhanced Security for Special Nuclear Material (RIN 3150-AJ41; NRC-2014-0118): This rule would make generally applicable the requirements of security orders imposed after the events of September 11, 2001.

Enhanced Weapons for Spent Fuel Storage Installations and Transportation—Section 161A Authority (RIN 3150-AJ55; NRC-2015-0018): This rule would implement the new authority in Section 161A of

the Atomic Energy Act of 1954, as amended, as it relates to access of enhanced weapons for the protection of spent nuclear fuel.

NuScale Small Modular Reactor Design Certification (RIN 3150-AJ98; NRC-2017-0029): This rule would incorporate the NuScale small modular reactor standard plant design into 10 CFR part 52.

B. Significant Final Rules Under Executive Order 12866

The following rulemaking activity meets the requirements of a significant regulatory action in Executive Order 12866, “Regulatory Planning and Review,” signed September 30, 1993, because it is likely to have an annual effect on the economy of \$100 million or more.

Revision of Fee Schedules: Fee Recovery for FY 2020 (RIN 3150-AK10; NRC-2017-0228): This rule would amend the NRC’s fee schedules for licensing, inspection, and annual fees charged to its applicants and licensees.